

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

:

vs.

: CRIMINAL NO. 09-00159-WS

RODOLFO BUCIO-MARTINEZ

:

ORDER

This cause is before the Court on Defendant's Motion to Continue Trial (Doc. 62), which is presently scheduled for the December 2009 trial term. After conferring with counsel by telephone on November 25, 2009, the Court finds that the ends of justice outweigh the best interests of the defendant and the public in a speedy trial. Accordingly, Defendant's motion for continuance of the trial is hereby GRANTED, and the trial of this action is hereby **RESCHEDULED** to the **January 2010** trial term which commences with jury selection on **January 4, 2010.**¹

Defendant is **ORDERED** to file a waiver of speedy trial on or before **December 11, 2009**. The Clerk of Court is directed to refer this case to the appropriate Magistrate Judge for the purpose of scheduling a pretrial conference during the month of December 2009.

DONE and **ORDERED** this 25th day of November, 2009.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE

¹The Court further finds that any delay resulting from this continuance is excludable for Speedy Trial Act purposes pursuant to 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).